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STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2021-

**AUTHORIZES THE EXECUTIVE DIRECTOR OR DESIGNEE TO ENTER INTO AND
AMEND A CONTRACT TO PROVIDE SERVICES TO THE STATE WATER
RESOURCES CONTROL BOARD TO SUPPORT PORTIONS OF THE BOARD'S
STATE INTERVENTION WORK PURSUANT TO THE SUSTAINABLE
GROUNDWATER MANAGEMENT ACT**

WHEREAS:

1. The Sustainable Groundwater Management Act of 2014 (SGMA) requires the formation of groundwater sustainability agencies (GSAs) in groundwater basins designated as high-priority or medium-priority by the Department of Water Resources. GSAs in these basins must develop and implement a groundwater sustainability plan (GSP) that will achieve groundwater sustainability in the basin within 20 years of implementation. GSPs for basins identified as critically overdrafted were due January 31, 2020, and GSPs for all other high- and medium-priority basins are due January 31, 2022.
2. Pursuant to SGMA, if GSAs fail to sustainably manage groundwater in a basin, the State Water Resources Control Board (State Water Board) can step in to temporarily manage the basin in a process called "state intervention." State intervention can involve collecting data on groundwater extraction, requiring studies, and writing and implementing interim plans to protect groundwater resources in a basin until local control is viable.
3. State intervention may commence in multiple basins in early 2022 if the Department of Water Resources determines that any GSPs submitted in early 2020 are inadequate, or if any of the basins with GSPs due in January 2022 fail to submit a plan.
4. Given the degree of technical work that state intervention will involve, the State Water Board's Groundwater Management Program will need support for certain intervention tasks. To have this support in place early in the state intervention process, the Groundwater Management Program is developing a solicitation for a competitive bid contract for hydrogeologic work needed to support Board staff with state intervention activities, including basin characterization and interim plan support. The contract is planned to commence as early as Summer 2022 for a five-year term.
5. SGMA required the State Water Board to adopt a schedule of fees by emergency regulation to recover costs incurred in administering SGMA, and set fees in an amount sufficient to cover all costs incurred and expended for this purpose. In 2017, the State Water Board adopted a fee schedule (Cal. Code Regs., tit. 23, § 1040 et seq.) to recover program costs, including contracting costs.

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THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Authorizes the Executive Director or designee to enter into and amend a contract for state intervention support, for a contract term not to exceed five years and an amount not to exceed \$2,000,000.
2. Authorizes the term of the contract to be extended two additional years provided that the contract funds encumbered are expended in accordance with applicable law.
3. Except as otherwise specifically provided by the State Water Board, duly authorizes the Executive Director, or the Executive Director's designee, to represent the State Water Board for the purpose of making a final determination of any dispute arising under or relating to the performance of the contract

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 6, 2021.

Jeanine Townsend
Clerk to the Board